

REMARKS

Claims 1-36 and 38-40 were originally filed in the subject application, with claim number 37 being inadvertently not used. Claims 1-26 and 34-36 and 38-39 remain pending, and claims 27-33 and 40 have been withdrawn, as a result of this response.

ELECTION RESTRICTION UNDER 35 U.S.C. § 121

The Examiner has issued a restriction requirement as between a Group I of claims 1-26 and 34-39, and a Group II of claims 27-33, and a further election of species. The Examiner asserts that claims 1-3, 6-9, 14-16, 19, 26 and 34 are generic to Group I, and that the patentably distinct species within Group I are: Species 1 - Figure 4 [claims 5, 10-13, 17-18, 20, 25, 36 and 38], Species 2 – Figure 5 [claims 5, 10-13, 17-18, 20, 25, 36 and 38], Species 3 – Figure 10 [claims 20-21 and 39], Species IV – Figures 11-12B [claims 22-24]. The Examiner has required the election of a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant hereby elects group I of the claims [1-26 and 34-36 and 38-39], and hereby elects Species I [claims 5, 10-13, 17-18, 20, 25, 36 and 38] for examination should no generic claim [1-3, 6-9, 14-16, 19, 26 and 34] be found allowable.

CONCLUSION

The Examiner is invited to call Applicant's attorney at the number below should any further clarification be needed in order to speed the prosecution of this application. The Commissioner is also authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

DLA PIPER US LLP

Dated: November 16, 2006

By:


Gerald T. Sekimura
Reg. No. 30,103
Attorney for Applicant

DLA Piper US LLP
153 Townsend Street, Suite 800
San Francisco, CA 94107
Telephone: 415-836-2576
Facsimile: 415-836-2501

Customer No.: 29585